



## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-HQ-NWRS-2022-N023; FF09R81000; OMB Control Number 1018-New]**

### **Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; U.S. Fish and Wildlife Service Agreements with Friends Organizations**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing a new information collection in use without an Office of Management and Budget (OMB) control number.

**DATES:** Interested persons are invited to submit comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](https://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under Review - Open for Public Comments" or by using the search function. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041-3803 (mail); or by email to [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov). Please reference "1018-Friends" in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** Madonna L. Baucum, Service

Information Collection Clearance Officer, by email at [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov), or by telephone at (703) 358-2503. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act (PRA, 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR 1320, all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

On November 9, 2020, we published in the *Federal Register* (85 FR 71354) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on January 8, 2021. We received 59 comments in response to the questions posed in the *Federal Register* notice from the following:

Name	Position	Organization	Date Received
Christensen, Alan	Past President	Friends of Tualatin River NWR	1/4/21
Benton, Angela	Board Chair	Friends of Haystack NWR	1/8/21
LaBrake, Aryn	Executive Director	Friends of Valle del Oro NWR	1/8/21
VanHeel, Carol	Treasurer and Membership Chair	Friends of Sherburne NWR	1/8/21
Trainor, Cece	Board Member	Friends of Eastern Neck NWR	1/8/21
Craig, Cecilia	Treasurer	San Francisco Bay Wildlife Society/ Friends of San Francisco Bay NWR Complex	1/8/21
Hart, Cheryl	Board Member	Friends of Tualatin River NWR	1/8/21
Crumley, Chloe	Board Member	Friends of Balcones NWR	1/8/21
Stephens, Christena	Director	Friends of High Plains Refuge Complex	1/7/21
Puskar, Dan	President and CEO	Public Lands Alliance	1/8/21
Price, Daniel	Not Provided	Friends of Little Pend Oreille NWR	1/8/21
Bell, Dave	Vice President	Friends of Balcones NWR	1/8/21

Raskin, David	President	Friends of Alaska NWR	1/8/21
Anderson, Debbie	Vice President	Friends of Hakalau Forest NWR	12/29/20
Andersen, Ellen	President	Friends of the National Conservation Training Center	1/5/21
Draper, Harold	President	Friends of Loess Bluffs NWR	1/7/21
Lockridge, Jack	President	Friends of Bosque Del Apache NWR	1/8/21
Johnson, James	Not Provided	Friends of Neal Smith NWR	12/20/20
Larson, Jan and Rocky	Private Citizens		1/7/21
Mayo, Jan	Volunteer	Friends of Hakalau Forest NWR	12/24/20
James, Janet	President	Friends of Mid-Columbia River NWR	1/7/21
Friday, J.B.	President	Friends of Hakalau Forest NWR	12/27/20
Public, Jean	Private Citizen		11/9/20
Keatinge, Jennifer	Board of Directors	Friends of Hart Mountain National Antelope Refuge	1/9/21
Edwards, Jim	President	Sandhill Prairies Refuge Association	1/2/21
Patterson, Joan Brouwer, Caroline	Not Provided Not Provided	Coalition of Refuge Friends and Advocates National Wildlife Refuge Association	1/6/21
Van Aken, Joann	Executive Director	International Wildlife Refuge Alliance	1/7/21
Van Aken, Joann (2 <sup>nd</sup> Comment)	Executive Director	International Wildlife Refuge Alliance	1/8/21
d'Alessio, Jon	Treasurer	Friends of Midway Atoll NWR	1/7/21
Cadoret, Katelyn	Not Provided	Friends of Mashpee NWR	1/7/21
Bowman, Kathy	Private Citizen		1/5/21
Rhodes, Kathy	Chair - Board of Directors	Friends And Volunteers Of Refuges - Florida Keys	1/8/21
Cheroutes, Kip	Board Member	Friends of the Front Range Wildlife Refuges	1/8/21
Gould, Laurel	Treasurer	Friends of Great Swamp NWR	1/8/21
Culp, Jr., Lloyd	President	Friends of Bon Secour NWR	1/8/21
Springer, Marie (original and followup)	Private Citizen	John Jay College of Criminal Justice, City University of New York	12/23/20 1/5/21
Cole, Mark	President	Friends of Leadville Fish Hatchery	1/8/21
Nelson, Morton	Treasurer	Friends of Loess Bluffs NWR (Original and Duplicate of 11/11/2020 comment)	11/11/20
Krueger, Myrna	President	Friends of Sherburne NWR	1/8/21
Gehlhausen, Nancy	Private Citizen		12/25/20
Feger, Naomi	Board of Directors	Friends of San Pablo Bay NWR	1/8/21
Kupchak, Patty	Private Citizen		12/18/20
Goodwin, Paula	President	Friends of Assabet River NWR	1/8/21
Hall, Peg	President	Friends of Lower Suwannee & Cedar Key NWRs	1/6/21
Millan, Phyllis	Board Member	Friends of Tualatin River NWR	1/8/21

Petzel, Robert	President	Minnesota Valley Refuge Friends	1/8/21
Crouch, Sally	Board Secretary	Muscatatuck Wildlife Society	1/7/21
Slagle, Sharon	Secretary	Friends of the Wildlife Corridor	11/18/20
Kenyon, Simon	President	Friends of Eastern Neck NWR	1/7/21
Kaufman, Stephanie	Not Provided	Friends of Patuxent Research Refuge	1/8/21
Byers, Steven	Chair	Friends of Hackmatack NWR	1/7/21
Chesney, Steven	Volunteer	Friends of Sherburne NWR	1/8/21
Hatleberg, Steven	Board Representative	Friends of the National Conservation Training Center	1/3/21
Hix, Sue	Volunteer	Friends of Sherburne NWR	1/7/21
Wilder, Sue	Treasurer	Friends of Louisiana Wildlife Refuges	1/7/21
Carlsten, Susan	President	Friends of Neosho National Fish Hatchery	11/19/20
Considine, Tom	Board Member	Friends of John Heinz NWR	1/8/21
Stoeller, Willem	Treasurer	Friends of Tualatin River NWR	12/17/20
Binnewies, William	Past President	Shoreline Education for Awareness	1/8/21

Below is a summary of the comments received in response to the questions indicated, and the agency response to those comments:

***Whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions you felt were unnecessary.***

**Summary of comments:** Respondents raised concerns that there was substantial overreach as far as what was being requested. Commenters felt that Friends are not subject to internal agency policy and direct administration and oversight by the Service. Specifically, many respondents mentioned that the Service's requests for Friends staff resumes was unnecessary and in conflict with Service policy not to become involved in Friends group administration and decision-making processes.

**Agency Response:** Based on the comments, we removed Friends staff resumes from the list of information we will collect, and substantially revised financial reporting requirements.

***“The accuracy of our estimate of the burden for this collection of information”***

**Summary of comments:** Overall, respondents said that the request as presented was vague, especially the proposed methodology by which the information would be collected. Furthermore, respondents expressed an overwhelming concern that this information collection as presented would be extremely burdensome and would hobble many smaller Friends groups, especially those without paid staff. Others stated that burden estimates were inaccurate, and that completion and submission of requested materials would take longer than the estimates projected.

**Agency Response:** The agency response was to overhaul the draft versions of the forms to significantly reduce the burden and simplify the reporting requirements, methodology, and instruments. In addition, the annual report, which will be a simple Microsoft form (or other electronic format to be substituted in the future, if need be), will be completable by either Service staff or a Friends group, and that decision will be made at the local level. This allows for the partnership to make the decision at the local level as to who should complete the form and requires strong communication within the partnership. Quarterly reviews will consist of Service staff verifying that board meetings include presentation of profit and loss sheets and updates on member and staff changes, if any, which should already be happening.

***“Ways to enhance the quality, utility, and clarity of the information to be collected”***

**Summary of comments:** Many responses focused on the frustration felt by the Friends groups due to the lack of clarity and specificity of what we were asking for, and the timeline with which it was being requested. Most respondents pointed out that the Internal Revenue Service (IRS) already requests much if not all the same documentation the Service might require, and that reporting should not be duplicative, excessive, or follow a different tax year than what the organization would be reporting to the IRS. Furthermore, many suggested that the Service institute a tiered system of requirements based on the size (i.e., annual budget) of the nonprofit required to do the reporting, as the majority of Friends groups are extremely small with an annual budget of \$50,000 or less.

**Agency Response:** We acknowledge the difficulty of the responding to the information collection clearance before reviewing the policy on which it was based, because both activities were taking place concurrently. The Service was able receive comments on the draft policy, and addressed many of those concerns in the final policy. Based on comments from both the *Federal Register* notice and the policy review, we re-designed the reporting system to address these concerns.

***“Ways to minimize the burden of the collection of information on respondents”***

**Summary of comments:** Many respondents made it clear that since they already submit much of the information to the IRS, the Service should simply go online and download that information ourselves. Others suggested that we create a system by which Friends groups could report electronically to the fullest extent possible via a secure portal and/or provide a simple checklist. There was concern that it would be costly to implement a reporting system and

a general sense that there was no value added to the Service collecting this data.

**Agency Response:** The Service created a simple and free to use Microsoft Forms reporting system and will use another free, electronic system if Microsoft Forms becomes unavailable in the future. While we do recognize that this information is all public and already reported to the IRS, we do feel that there is a value to collecting this data within the Service and being able to aggregate the data to show the benefit provided by Friends groups to the agency on a national scale.

In addition to publication of the *Federal Register* notice, we held public meetings in early 2021 to communicate to key stakeholders about the Information Collection Clearance process (i.e., our desire to hear from them, expected timelines, etc.) and provided time for questions from attendees.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be

collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

*Abstract:* The Service enters into agreements and partnerships with nonprofit Friends groups to facilitate and formalize collaboration between the parties in support of mutual goals and objectives as authorized by:

- The Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j);
- The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-ee), as amended;
- The Refuge Recreation Act of 1962 (16 U.S.C. 460k *et seq.*), as amended;
- The Anadromous Fish Conservation Act (16 U.S.C. 757a-757g), as amended;
- The Fish and Wildlife Coordination Act of 1934 (16 U.S.C. 661-667e), as amended;



- The National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (16 U.S.C. 742f), as amended; and
- The National Fish Hatchery System Volunteer Act of 2006 (16 U.S.C. 760aa), as amended.

The Service utilizes a standardized agreement which describes the substantial involvement of both parties in mutually agreed-upon activities and ensures that both parties have a mutual understanding of their respective roles, responsibilities, rights, expectations, and requirements within the partnership. The agreement, pre-approved by the Department of the Interior (DOI) Office of the Solicitor, provides the suggested language common to most Service Friends partnerships. The content is based on DOI and Service policies, but the Friends and Service sites/programs may thoughtfully add and delete certain language to meet their varying partnership roles and responsibilities wherever Department and Service policies do not dictate otherwise. We also use a supplemental partnership agreement for use of Service property, which provides additional terms and responsibilities beyond the general terms of the partnership agreement and is required only for those Friends groups that use Service land, facilities, or equipment.

The partnership agreement and supplemental agreement are effective for 5 years, with four annual modification options during the 5-year period of performance. Each time the agreement is up for its 5-year renewal, the Refuge or Fish Hatchery Project Leader and the Friends President or Board will meet to review, modify, and sign the agreement as described above. To become effective, the Regional Director (or designee) must review, approve, and sign a new agreement every 5 years.

In addition to the partnership agreement and supplemental agreement, and subsequent renewals of the agreements, the Service collects the following information in conjunction with the administration of the Friends Program:

- Basic program information documentation, to include documents such as IRS determination letters recognizing an organization as tax exempt, submission of IRS Form 990-series forms, bylaws, articles of incorporation, etc.;
- Internal financial control documentation for the organization;
- Recordkeeping requirements documenting accountability for donations and expenditures;
- Assurance documentation that donations, revenues, and expenditures benefit the applicable refuge or hatchery;
- Annual performance reporting (donations, revenues, and expenditures) and number of memberships (if applicable); and
- Additional information that may be included as part of quarterly, annual, and in-depth program reviews.
- Information related to fundraising agreements for activities described in 212 FW 8.

Over the life of this clearance, the Service plans to develop a digital platform and process to collect information directly from Friends groups. Until that occurs, Friends groups will submit information through form and non-form responses.

The Service uses the information collected to establish efficient and effective partnerships and working relationships with nonprofit Friends organizations. The agreements provide a method for the Service to legally accept donations of funds and other contributions by people and organizations

through partnerships with nonprofit (and non-Federal) Friends organizations.

*Title of Collection:* U.S. Fish and Wildlife Service Agreements with Friends Organizations.

*OMB Control Number:* 1018-New.

*Form Number:* None.

*Type of Review:* Existing collection in use without an OMB control number.

*Respondents/Affected Public:* Private sector (nonprofit organizations).

*Total Estimated Number of Annual Respondents:* 1,040.

*Total Estimated Number of Annual Responses:* 1,640.

*Estimated Completion Time per Response:* Estimated completion times vary from 30 minutes to 800 hours, depending on activity.

*Total Estimated Number of Annual Burden Hours:* 22,100.

*Respondent's Obligation:* Required to obtain or retain a benefit.

*Frequency of Collection:* On occasion for agreements and associated documentation requirements; quarterly and annually for performance reviews.

*Total Estimated Annual Nonhour Burden Cost:* None.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,  
*Information Collection Clearance Officer, U.S. Fish and Wildlife Service.*  
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